

Application No. 10/038,255

(Jebaraj)

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REMARKS – General

Claims 1-23 were rejected under 35 U.S.C. 112 second paragraph because the claims are narrative in form with indefinite and functional or operational language. Applicant requests cancellation of all claims of record and substitution of new claims 24 to 46. New claims 24 to 46 were rewritten to eliminate indefinite and functional language. In the new claims, the structure of the assembly is stated to be clear, specific and well organized to present the complete operative assembly. Also all claims are revised to be in one sentence form only.

The Rejection of Claim 22 Is Overcome

Claim 22 was rejected in the O.A under 35 U.S.C. 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim subject matter. The substituted new claim 45 is revised to overcome rejection and states:

"The heat transfer duct ... made preferably of flexible, collapsible, and lightweight duct structure with good heat transfer property whereby heat is transferred between the air streams in said heat transfer duct and the air streams in said fresh air chamber to effect substantial thermal energy recovery in the air streams".

The Rejection of Claim 22 for Insufficient Antecedent Is Overcome

Claim 22 was rejected as the limitation "the fresh air chamber" had insufficient antecedent. The substituted new claim 43 is revised to overcome rejection and states, "The air-conditioner means as claimed in claim 24 (h) and sub-para (i) wherein the main housing further includes a vertical interior wall and a fresh air chamber ...".

The Rejection of Claim 22 for Insufficient Antecedent Is Overcome

Claim 22 was rejected as the limitation "the heat transfer duct" had insufficient antecedent. The substituted new claim 44 is revised to overcome rejection and states, "The fresh air chamber according to claim 43, further includes a heat transfer duct ...".

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The Rejection of Claim 22 for Insufficient Antecedent Is Overcome

Claim 22 was rejected as the limitation "condensing coil bank" had insufficient antecedent. Reference to this limitation is eliminated in substituted new claim 45. In addition, the substituted independent claim 24(h) and sub-para (ix) includes the limitation "condensing coil bank".

The Rejection of Claim 10 for Insufficient Antecedent Is Overcome

Claim 10 was rejected as the limitation "the floor" had insufficient antecedent. The substituted new claim 30 is revised to overcome rejection and states, "...the lower portion of said sidewall means wrap around the underside of said slab". Antecedent for "underside of said slab" is in claim 24(a). Antecedent for "the lower portion of said sidewall means" is in claim 24(d).

The Rejection of Claim 22 and 23 for Omitting Essential Elements

Applicant requests cancellation of claims 1 through 23, and all new substituted claims were rewritten to include essential elements to overcome rejection.

Conclusion

For all of the above reasons, applicant submits that the claims are now in the manner required by 35 U.S.C. 112, second paragraph to be definite, specific, organized and correlated. Therefore, the applicant submits that this application is now in condition for allowance, which action is respectfully solicited.

Conditional Request for Constructive Assistance

Applicant has amended the claims of this application so that they are in required manner to be definite, specific, organized and correlated. If, for any reason this application is not believed to be in full condition of allowance, applicant respectfully requests suggestions of the Examiner

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pursuant to M.P.E.P 2173.02 in order that the undersigned can place the application in allowable condition at the earliest without the need for further proceeding.

Very respectfully,



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